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NATIVE USE OF ANIMAL RESOURCES IN THE YUKON

Identification of Main Issues

*First Draft*

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Lynx Inquiry*

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# NATIVE USE OF ANIMAL RESOURCES IN THE YUKON

## IDENTIFICATION OF MAIN ISSUES

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## 1. PRESENTATION

Like elsewhere in subarctic Canada, the Indians of the Yukon are in the process of expressing that the North should be developed for its own value and following the trends of its own specificity. In the context of an increased autonomy of the Native collectivities regarding its own historical development and among various possibilities that can be combined altogether, the exploitation of renewable resources, a traditionally well-known economic field for the natives could be the pivot of a very specific mode of development.

It is part of the land claim of the Council for Yukon Indians to regain control over the management of wildlife in the territories that would be part of an eventual land settlement. The future management of wildlife by the Indians over their territories is not of a marginal significance in the overall economic development sought by the Natives of the Yukon Territory. Even if it remains almost entirely to be evaluated in terms of money value and of precise levels of productivity, it is strongly worthy to emphasize the idea that the harvesting of wild animals would be an important part of the native economy in the years to come, granted the Indians decide to follow an economic development along those lines, subsequent to the implementation of the land claim.

What is not known, though, is to what extent the land is now used by the native communities. The Council for Yukon Indians maintains that it is still intensively used even if the Council itself has little evidence to illustrate that. On the other hand, there is a strong feeling among many Yukoners that the Indians in the Territory, with the exception of those living in Old Crow, are not living off the land any more. More precisely, it is assumed that Indian communities along the highway do not hunt at all, do little trapping and fishing, and are mainly living on welfare.

## 2. DEFICIENCIES OF DATA COLLECTING REGARDING NATIVE USE OF ANIMAL RESOURCES

*Yukon these issues,*  
Recent researches, conducted in the eastern subarctic (mainly in James Bay) and in the arctic on Native harvesting, have revealed very surprising results. While there were, prior to these researches, absolutely no data of any reliability on fur harvesting and on country food production, these works showed the continuity of bush-oriented activities over periods of high acculturative pressure. They also showed the high money value of country food in a northern context. Finally, what they mainly demonstrate is that animal harvesting was systematically underestimated with respect to Native economic activities and that the Native implication in these activities was simply invisible to the recording systems of the dominant society.

The James Bay case is very relevant to the Yukon situation and we will come back to it later on. At this point, what is surely worthwhile to underline is simply the danger of flatly stating that Indians of the Yukon do not use their land any more. The reality on that is not documented and there exist no <sup>SCIENTIFIC</sup> ~~logical~~ reasons to sustain such an idea, as long as no-one can rely on fair data.

Granted the specificity of the Yukon situation on the subject, one cannot go without considering the fact that, overall, in subarctic Canada today, one finds that administrative recording and statistical arrangements were not neutral but have always reflected the bureaucratic views of the reality. In those terms, it is fair to say that the production of furs and the production of food by the Natives had always been under-estimated and not adequately recorded.



"There are a variety of government and private data records which have approximated these harvest levels, or continue to do so ... These data series almost invariably provide under-estimates of Native resource use. The degree of under-estimation varies essentially from very slight in the case of fur bearers, moderate in the case of most big game animals, very large in the case of seals and migratory birds. In addition, 'there are no regular records kept of the take of certain species at all such as fish, most small game, some birds and most marine animals'."

Peter Usher (before the Berger Inquiry <sup>July 20, 1976</sup> ~~25808-25809~~)

Usher's argument is relevant to the Arctic and his evidences were prepared in that context. However, one is struck with the similarities for all the Indians in Canadian subarctic, specifically for Indians in the Yukon.

The unreliability of the data on animal harvesting in the Yukon Territory is even greater than what Usher is describing for the Inuit in the Arctic. This is likely to be as long as no private or public agencies in the Yukon had every directed their recording systems toward the specific Indian way of using the land. This is particularly true for trapping activities.

For administrative purposes and to resolve administrative problems, the fur catch recording was directed towards furs that were going on the market through formal and recognized channels. More than that, administration of wildlife in the Yukon classified trapping activities only if they were officially reported in the context of registered trapping territories.



Berret's citation



As far as the Foothills study down the Alaska Highway is concerned it is just a farce because according to their booklet on the pipeline route, my trapline, which they intend to go through, has not been trapped and it is not even good for fur. Yet, for the past five years, I have caught more fur than most trappers in the Yukon.

L. Berret (before the Lynx K  
Inquiry, June 27th, 1971)

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We are faced with the problem of administrative trapping territories which were imposed upon the Indians, most of the time reducing the productivity and even the incentive to trap on those fixed and defined territories. There is a system directed towards the individual in which one territory and all territories are approximately equal to each other. This bureaucratic logic of fragmentation and symmetry is in direct contradiction with the great flexibility required by the Indian communities over the communal use of the land. In other words, individual trapping territories emerged from an administrative definition of the situation and had never been an Indian way of perceiving and using the land. At the same time, one can sustain that the Indian adaptation to that imposition of principles and the original patterns of trapping and hunting which are specific to the Native communities have never been of any concern for the dominant society. No wonder that one finds such discrepancies today between those who pretend that the original economic relationship of natives to the land has disappeared and those, mainly Natives themselves, who sustain exactly the contrary proposition.

→ [ Berret's citation ]

For ~~more than~~ <sup>the last</sup> 25 years, there existed absolutely no data recording regarding hunting for subsistence in Yukon, as if these realities were simply not existing any more. Paradoxically, some data on that were recorded between 1900 and 1949:

"Until 1949, the Yukon's wildlife provided both partial subsistence and a means of support for many Yukoners. Game Branch administrative policies in the 'fifties and 'sixties seemed to emphasize the non-resident or trophy hunting industry."

(~~McCandless, 106.~~) (McCandless 1976, p 106)

Yukoners, white and Native, stopped hunting for subsistence in 1949 follow-

ing a change in the policy of Game Branch. In practice, no-one could take that stand. The only thing one can say is that there was a change in the administrative policy. What happened at the community level remains completely undocumented.

The Council for Yukon Indians undertook a study on present levels of fish harvesting in the area of Haines Junction and Burwash Landing. The actual results are not in a state to be presented but they clearly showed that the Indians will try to express that there still is an exploitation of wildlife resources in the Indian communities. The major difficulty here, as we will show on a comparative basis referring to the James Bay case, resides in the very scale and methodology of such a research undertaking. (CYI, personal communication).



## AS PART OF A COMPLEX SYSTEM OF ADAPTATION

### 3. TRAPPING AS BEING IMBODIED IN A COMPLEX STRUCTURE WHICH IS SPECIFIC TO THE YUKON ORIGINAL PATTERN OF ADAPTATION

As it is, it is important to underline that trapping is not an activity which can be feasible when it is the only economic activity implied. For most of the Indians, trapping goes with country food harvesting (hunting and fishing). With that combination, it becomes a much more rewarding economic activity. More than that, experiences from elsewhere showed that the trapper-hunters are faced with cash problems; that is to state, that in an ideal situation from an original Native pattern adapting to objective constraints an Indian trapper needs a productive trapping territory, an area which is rich as regards animals which are the basis for country food and also a possibility of being implicated on a part-time basis in wage labour in order to find the necessary liquid capital to invest in his bush-oriented economic activities.

The point is rarely well understood in discussions pertaining to Native economic activities. In the actual context of the Yukon, it is misleading to associate hunting and trapping to a traditional way of life, saying in the same instance that it tends to disappear because of the industrialization of the Territory. It may very well be that hunting and trapping, combined with partial involvement in the wage labour, represent the strong part of the contemporary economic alternatives of the Natives.

Hunting and trapping could be in a down-slope within the actual socio-economic context of the Yukon. In fact, nobody knows to what extent it is declining as nobody could theoretically sustain that this reduction of activities related to the production of food and furs are definitely in the process of

vanishing. The problem and the evolution of these realities are much more complex. A simple analysis always tends to relate fur production activity to the state of the fur market. While it is true that the price of furs is an intervening factor, one must also be prepared to analyse the economic phenomena in all of its ramifications. If one accepts that a trapper is not living in an unreal and isolated economic world but on the very contrary is embodied in a complex structure, then it becomes urgent to give much greater attention to factors like quality and money value of country food, co-ordination of wage labour and bush-oriented activities, co-operation between producers, pattern of distribution in the communities, marketing procedures for fur products ... in other words, hunting and trapping could be assisted to an extent that it would be possible to evaluate these in terms of relevant economic activity for the Indians of the Yukon. That implies the necessity not to oppose hunting and trapping to wage labour but to see them in a possible complementarity.



4. COUNTRY FOOD: NOT RECORDED AND UNDER-ESTIMATED IN ITS ACTUAL AND FUTURE IMPORTANCE

We have seen that existing statistics and informations on renewable resources use in the Yukon are unreliable when directed towards Native communities' use of the land. As for country food, not only are they not reliable, they simply do not exist. We have no information on the extent to which Indian communities are consuming country food. We do not have any serious information about their diets, their eating habits and the Indian values pertaining to each species of animal in terms of food.

From other experiences throughout northern Canada, one can suppose that Natives get more from an animal than white people do. They make a much more extensive use of each part of it. On these bases, hunting and trapping are not important only in terms of cultural integrity; the importance of harvesting animals is even more greatly understood in terms of nutrition problems and in terms of the general welfare of the community. The community hearings showed concerns about the quality of the food in the Native communities. We must evaluate country food on the basis of what it can derive in protein value, in eating habits and in the overall impact on community health and welfare realities.

The Council of Yukon Indians is putting forward the fact that country food is still an important component of Native diet throughout the Territory. This reality is simply not documented and nobody keeps record of it. Dominique Legros, a French anthropologist who spent 18 months in Carmacks in 1972-73 doing field work, reported that he is not taking any risk in stating that at least 50% of the food consumed by the Natives had a bush provenience. (Personal communication.)

v Although he did not make any surveys on the subject, his knowledge derives from  
p his experience of living for a relatively long time inside a Yukon Indian  
s community. If it is the case in Carmacks, there is no logical reason to believe  
v that this is different elsewhere. If there are differences, that would be on a  
o positive side as far as the argument is concerned, as long as Carmacks could be  
a viewed as a very exposed community evolving near an area of strong industrial  
s activities. By comparison, <sup>FROM THE COMMUNITY HEARINGS</sup> it is believed that Burwash Landing should be pro-  
q ducing more country food than any other Indian communities ~~along the Alaska~~  
o ~~Highway corridor~~ **IN SOUTHERN YUKON.**

t  
h If there are strong pressures over Native populations which have the  
e consequences of eroding the specific Indian way of using the land, the phenomena  
y cannot be analysed in a simplistic way. We have seen that, as elsewhere in  
j northern Canada, the organization of trapping territories by government agencies  
disrupted the collective productivity of Native trappers. Trapping, when in the  
context of industrial development, when becoming an activity fitted to anybody  
who is unable to find a "real" job for himself, when being evaluated mainly as  
merely better than nothing, is for sure devoted to being a very low economic  
field in terms of productivity. Moreover, when it is a one-man business, it is  
bound to be a marginal activity in a marginal region where the real economic  
activity is not relying on the renewable resources of the land. In that context,  
food harvesting is regarded as obsolete and wage labour is seen in opposition to  
bush-oriented activities. *As we have seen, it is not the case.*



## 5. THE JAMES BAY COMPARISON

With the announcement in 1971 by Premier Bourassa that the James Bay area would be the center of the "project of the century" began in the Province of Quebec a fierce debate over main ~~native~~ <sup>NATIVE</sup> issues.

From the very beginning, the debate centered upon the basic premises that tend to show on one side that Indians Culture in the area were so modified and that Indians were so integrated to the modern world that it was unrealistic and a loss of time to try to evaluate the impact of the hydro project over them as if these populations were still living off the land. On the other hand, it was stated against the latter statement that the Crees were loosing land they were actually using for trapping and subsistence <sup>P</sup>urposes. On both sides, the data were lacking and the debate was highly ideological.

In a preliminary report to the S E B J, the governmental agency who was to implement the hydro project, Dr. Richard Salisbury, an anthropologist from McGill University, submitted a first evaluation of what could be a possible level of harvesting (fur and subsistence) for the James Bay Crees. (Salisbury and al. 1972). His conclusion were that the Crees were still living off the land to a certain degree and that the matter should be investigated further on in order to assess <sup>A</sup> the impacts of the hydro project over the economy of the Crees.

As the debate evolved, the Grand Council of the Crees (of Que.) got funded to design ~~ed~~ and to start ~~ed~~ a major study on Resource Use and subsistence economy in James Bay. This research is still ungoing, (as it is a five years plan) but the results are now beginning to be available.

X Those results show clearly that the use of official statistics on <sup>N</sup> ~~fu~~ <sup>s</sup> harvesting are misleading. Official statistics systematically underestimated the level of harvesting. It is worthwhile to underline here that even the preliminary estimates of Dr. Salisbury were also underestimating the Natives use of wildlife resources.

v There are a number of reasons for that consistent underestimation but  
F the basic one is resumed in that paragraph<sup>1</sup>, exerted from the interim<sup>m</sup> report  
S # 4 of the Fort George Resource Use And Subsistence Economy Study, written by  
v anthropologist Harvey Firt:

c "It is critical to note however that the entire system of collecting the  
a records is designed to make the statistics an accurate record of fur  
S pelts bought by fur traders, it is not designed to collect records of the  
q actual number of fur bearing animals harvested. Thus the records of fur  
O pelts are reported to the Department by the fur buyers not by the trappers  
t themselves. Furthermore, where quotas are set and carefully regulated,  
h as in the case of beaver, the quota is actually set on the number of  
e pelts sold and control is exercised at this stage, not on the number of  
y beaver-actually killed." (Firt 1975)

l Without the knowledge of all the unofficial channels by which the furs can  
go through at the community level, it is impossible to assess the productivity of the  
trappers.

The study which is actually undergoing in James Bay on Native Harvesting  
is trying to palliate to that lack of informations.

The approximate mean percentage of error, comparing the official statistics  
to the results of the research, vary from 50% the case of the beaver to 350% in  
the case of the fox.

With such a margin of error, one see that the official statistics are  
not a measure of the furbearers harvests. (Firt 1975)

"We are forced to conclude that the use of the official annual statistics  
as even an approximation of land use and the intensity of harvests of  
beaver and the fine-fur species on particular traplines without checking  
these figures in the community will result in a distorted interpretation  
of the actual patterns. To base decisions which affect people's  
future on these interpretations cannot be justified." (Weinstein 1975)



## 6. CONFLICT IN LAND PERCEPTION

### ITS IMPLICATIONS FOR PAST, PRESENT AND FUTURE LAND USE BY THE NATIVE COLLECTIVITY

The Indians in Yukon have been caught up for a long time, for 75 years, in a subtle struggle in which their land as they used and perceived it is submitted in theory and in practice to a strong competition by the mere existence and reality of the white man's ideology of wilderness.

This confrontation began with the gold rush where a great number of deceived gold seekers became trappers or hunters. There were days of collaboration, days of violent confrontations, long eras of misunderstanding.

Yukon is rich in non-renewable resources; Yukon is also rich in unique landscapes. It is the paradise for sport hunters, a good place for mountain climbers, for hikers, for, indeed, all types of nature lovers generated by the dominant society during the past years.

Finally, Yukon is a Territory which is well under the scope of National Parks designers and ecological sanctuaries promoters. This point is important as long as it indicates that there is no such thing as a simple dichotomy in the land question: pro-Indian or anti-Indian. For example, it would be hazardous and naive to see the environmentalist drive as being equivalent to the Indian position towards the land.

In all the purposes one could have regarding the use of the land, there is a possibility that the Yukon Natives would not play a massive role or express

and give an unconditional adherence to an industrial development only conceived for southern needs. At the same time, it is also possible to see the Indians as expressing interests in a well-planned or relevant industrial development. As far as the land is concerned, the Indians have not expressed as yet the idea that they would not permit any industrial activity in an area they would control.

On the other hand, the National Parks and Sanctuaries originate from the white society. It may not be in the interests of Indian collectivity to be confronted with the freezing of large pieces of land in the Yukon for Park purposes. As for industrial development, Parks and Sanctuaries is historically a process by which land used by local residents is set aside and given a new definition.

It is clear that the Indians reject this process, as the Kluane Lake National Park scenario showed. The Indians oppose the fact that hunting grounds used by the community are suddenly integrated in a National Park.

The damage done on a community like Burwash Landing is rather difficult to evaluate or quantify. Hunters feel uneasy in the Park, even though it was understood (since 1968) that the Indians could hunt within the limits of the Parks, in the areas where they were previously hunting. This informal agreement is valid until the Park becomes officially registered as a National Park, which is not yet done.

The Kluane National Park scenario is important as long as it shows how damaging and how consistent the bureaucracy (federal in that case) had been in going over and against local interests and community realities. This statement is relevant for all Yukoners, but in the particular case of Kluane Park this is



again the very specific economic pattern of adaptation of Native groups which is at stake and is threatened. Harrassment, misunderstanding and abuse of bureaucratic power in the Kluane Park case are part of the Indian burden and have been so for 35 years.

"On top of all this, the Federal Government wished to establish a National Park in the Kluane area. Many of the people from our community lived by hunting and trapping in this area and had done so for centuries. Other villages were to be affected - those located on the fringes of the Park. The Indian people also had placer operations but, not being allowed to hunt, soon gave these up. Petty game violations were made up. Our people were arrested for hunting and trapping gophers which outsiders consider rodents but which are a delicacy amongst our people ... Special permission was granted to allow the people to hunt in a ten-mile strip but this was done on a year-to-year basis. 1947 was the last year that our people were legally allowed to hunt in this area.

It was not until 1968, some 21 years later, that a case was tested in the Courts (Regina vs. Smith). (Even if the permission to hunt was granted) ... Indians are still being harrassed today."

(Joe Jacquot, April 21, 1976. Before the Berger Inquiry.)

Today, the situation for the Indian communities nearing the Park limits is one of tension, anxiety and resentment. When one speaks of the constraints imposed upon Native involvement in the land, cases like Parks and Game Reserves are not to be under-estimated.

Another area which has been the centre of major conflicts in land use and

which the Natives were systematically ignored, is the area of sport hunting. Since 1950, Yukon Game Branch had been emphasizing the value of big game hunting by non-residents. The Territory itself had built an international image along these lines. In the concern of big game and exotic game hunting by non-residents, all Yukoners stand on the same ground: they must see that the wildlife management in Yukon is not having for its main purpose, besides the conservation of species, accommodating non-resident hunters. The actual situation in Yukon is well-described in a recent report written by Robert McCandless for the Game Branch (McCandless, 1976). This strong orientation of the Yukon Game Branch towards big game and sport hunting is one of the main reasons why there are so few data on how the Yukoners themselves, on a day-to-day basis, are involved in subsistence activities.

From what has preceeded, one sees the importance of a land settlement for the Yukon Indians and for all Yukoners. Matters like National Parks, International Biological Reserves, Game Sanctuaries, corridor of energy transportation, zone of industrial activity, hunting territories, outfitting areas - all are of prime importance in the future management of Yukon land, from the Native point of view. Without the settlement and the implementation of the land claim, it is likely that this point of view will never be heard.



## 7. RESUME AND RECOMMENDATIONS

There are no adequate data on the effective and actual use of the land by the Natives of Yukon. The knowledge on this issue is very weak and there are strong deficiencies <sup>in information regarding</sup> ~~as to~~ the contemporary adaptations of Native groups in the field of their own economic responses to the very heavy pressures imposed upon them as a society.

In the precise context of the Alaska Highway Pipeline proposal, it must be said that the applicant, in its socio-economic statements, has totally ignored the realities of the Native economy in Yukon. In that sense, the applicant, through its consultants, <sup>has</sup> been following and even sophisticated the very capacity and the consistent trends of the dominant society not to see the concrete patterns of economic activities of small and local Native groups.

It is assumed that the Natives' relationship with the land can be reduced to vanishing trapping activities complemented with some domestic fishing. It is assumed that the Indians want jobs in order to do something with their days. All hunters and trappers are given the bureaucratic definition of being unemployed. In other words, there is the prejudice that, when they are not involved in wage labour, Indians are inactive, non-productive.

With this perspective, the applicant is unable to consider any type of impact of the pipeline upon Native economy and in the last instance upon Native communities along the pipeline corridor.

The proposed compensations for damaging of traplines or for the reduction

of productivity of trapping territories located in the pipeline corridor are relying on the assumption that trapping is an <sup>ISOLATED</sup> ~~integrated~~ economic activity. We have seen that this is not the case for Natives and, granted that, this proposed system of compensation is completely innocuous.

Studies and surveys pertaining to the evaluation of the actual and potential level of native harvesting in terms of furs and in terms of food remains to be done in all the Indian communities of Yukon.

These researches cannot realistically be done in a short time frame with limited amounts of money. It is even more true when one is thinking in terms of a complete and reliable assessment as to what could be a potential level of native harvesting in the perspective of the communities' needs and groups' choices.

Experiences from elsewhere suggest in broad terms what should be the general features of such a research undertaking. All those researches on Native harvesting imply many years of recording (we suggest 3 years as a minimum), reliable wild animal resource inventories, the training of Native fieldworkers, the total participation of the communities. The research should be produced, controlled and designed by the political bodies of the Indians in Yukon. All the work should be done by the Indians themselves. They should have the full responsibility to hire consultants from outside. The funding would originate from the two levels of government - territorial and federal.

Without a reliable data base on Native harvesting in the Yukon, it is inappropriate to produce a statement of impact pertaining to Native economy in relation to the construction and operation of a pipeline.



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